

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CHANEL, INC., A NEW YORK
CORPORATION,

Plaintiff,

v.

RAFAEL MATOS, *an individual*,
d/b/a FANDANGOTEES.COM d/b/a
JESSMAR d/b/a @NENEMOTT d/b/a
NENEMOTT, and DOES 1-10,

Defendants.

HONORABLE JEROME B. SIMANDLE

Civil Action
No. 14-3509 (JBS/KMW)

**DEFAULT JUDGMENT AND PERMANENT
INJUNCTION**

This matter comes before the Court by way of Plaintiff Chanel Inc.'s (hereinafter, "Plaintiff") motion for default judgment [see Docket Item 9]; and the Court having considered the submissions; and for the reasons explained in the Opinion of today's date; and for good cause shown;



IT IS this 13th day of August, 2015, hereby

ORDERED that Plaintiff's motion for default judgment [Docket Item 9] shall be, and hereby is, **GRANTED IN PART**; and it is further

ORDERED that Judgment shall be entered in favor of Plaintiff Chanel, Inc. and against Defendant Rafael Matos, an individual, d/b/a fandangotees.com d/b/a jessmar d/b/a @nenemott d/b/a nenemot in the amount of **\$180,400**; and it is further

ORDERED that Defendant and his officers, agents, servants, employees and attorneys, and all persons acting in concert and participation with Defendant are hereby **PERMANENTLY RESTRAINED AND ENJOINED** from:

- a. manufacturing or causing to be manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods using the Plaintiff's trademarks, bearing Registration Numbers 1,241,264, 1,241,265, and 4,241,822 (hereinafter, the "Chanel Marks" or "Marks");¹
- b. using the Chanel Marks in connection with the sale of any unauthorized goods;
- c. using any logo and/or layout which may be calculated to falsely advertise the services or products of Defendant offered for sale or offered for sale via the Defendant's businesses "fandangotees.com," "jessmar," "nenmott," and "@nenmott" (collectively, the "Defendant's Businesses") and/or any other website or business, as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;
- d. falsely representing themselves as being connected with Plaintiff, through sponsorship or association;

¹ These Marks specifically appear as CHANEL, , and . (Compl. at ¶¶ 2, 7.)

- e. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendant offered for sale or sold via the Defendant's Businesses and/or any other website or business are in any way endorsed by, approved by, and/or associated with Plaintiff;
- f. using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendant via the Defendant's Businesses and/or any other website or business, including, without limitation, clothing products, including, shirts and pants;
- g. affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by Defendant via the Defendant's Businesses and/or any other website or business, as being those of Plaintiff or in any way endorsed by Plaintiff;
- h. otherwise unfairly competing with Plaintiff; and
- i. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the

purpose of circumventing or otherwise avoiding the prohibitions set forth above; and it is further

ORDERED that counsel for Plaintiff shall forthwith cause a copy of this Default Judgment and Permanent Injunction to be served upon Defendant by regular mail, with return receipt requested, at Defendant's last known address, or alternatively, by personal service, and to certify, by Affidavit of Service, that counsel for Plaintiff has done so; and it is further

ORDERED that the Clerk shall **CLOSE** this case upon the docket, without prejudice to reopening for further proceedings consistent with law.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge